

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4
5 By: Representative Baltz

A Bill

HOUSE BILL 1930

For An Act To Be Entitled

8 AN ACT TO AMEND THE FIREWORKS LAWS; TO CLARIFY AND
9 MAKE TECHNICAL CORRECTIONS TO THE FIREWORKS LAWS; AND
10 FOR OTHER PURPOSES.

Subtitle

14 TO AMEND THE FIREWORKS LAWS; AND TO
15 CLARIFY AND MAKE TECHNICAL CORRECTIONS TO
16 THE FIREWORKS LAWS.

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21 SECTION 1. Arkansas Code § 20-22-707(a) and (b), concerning
22 application for and issuance of fireworks related licensing are amended to
23 read as follows:

24 (a)(1)(A) ~~To engage in the sale of fireworks~~ be licensed as a
25 manufacturer, importer, distributor, ~~wholesale~~ jobber, retailer, or shooter
26 of fireworks, an applicant shall submit to the Director of the Department of
27 Arkansas State Police an application on a form provided by the director
28 before April 1 of each year setting forth ~~such facts and~~ the information ~~as~~
29 that the director ~~may determine~~ determines necessary ~~and proper, considering~~
30 ~~the requirements of~~ to ensure public health, safety, and welfare.

31 (B) The license for ~~manufacturers, importers,~~
32 ~~distributors, wholesale jobbers, and retailers~~ a manufacturer, importer,
33 distributor, jobber, or retailer shall be effective from and shall date from
34 May 1 of the year of issuance. ~~The license for manufacturers, importers,~~
35 ~~distributors, wholesale jobbers, and retailers shall be valid~~ through April
36 30 of the following year.



1 (C) The license for ~~shooters~~ a shooter shall be valid for
2 five (5) years from the date of issuance.

3 (D) Upon approval of the application by the director and
4 before the issuance of the license ~~therefor~~, the applicant shall pay to the
5 director a license fee for each type of business conducted ~~to~~ based on the
6 following schedule:

- 7 ~~(A)~~(i) Manufacturer \$1,000.00
- 8 ~~(B)~~(ii) Importer 750.00
- 9 ~~(C)~~(iii) Distributor 500.00
- 10 ~~(D)~~(iv) Jobber ~~wholesaler~~ 100.00
- 11 ~~(E)~~(v) Retailer 25.00
- 12 ~~(F)~~(i)(vi) Shooter 50.00

13 ~~(ii)~~(E) This fee for ~~shooters~~ a shooter shall be waived if
14 the applicant verifies that ~~the applicant~~ he or she is a professional or
15 volunteer firefighter.

16 (2)(A) ~~However, retailers~~ A retailer may purchase ~~their licenses~~
17 ~~from their~~ a license from its vendors, which include importers, distributors,
18 vendor if the vendor is a licensed importer, distributor, jobber or from the
19 Arkansas State Police Office of Fire Marshal ~~wholesalers~~. The retailers'
20 licenses shall be made available by the Department of Arkansas State Police
21 to the ~~vendors~~ vendor in books of twenty (20) licenses to a book.

22 (B) The ~~vendors~~ vendor shall record the sales of the
23 licenses to retailers and submit ~~their~~ its records to the director
24 semiannually on January 31 and July 31 of each year. Each semiannual report
25 shall cover the preceding six-month period.

26 ~~(B)~~ ~~Vendors may secure a refund of the fees paid for~~
27 ~~retailer licenses which are not sold by the vendor.~~

28 ~~(C)~~(3) ~~Failure to~~ A person who does not obtain ~~the permit~~ shall
29 ~~be deemed a required license~~ commits a violation of this subchapter.

30 (b)(1) ~~Renewal of outstanding licenses to engage in the sale of~~
31 ~~fireworks~~ A person may renew a license as a manufacturer, importer,
32 distributor, jobber, retailer, or shooter ~~shall be made effective~~ by payment
33 of the fee, ~~as set forth in~~ under subsection (a) of this section, to the
34 director ~~on or before May 1 of each year.~~

35 (2) ~~License~~ A license renewal ~~applications postmarked~~
36 application received by the director after May 1 of each year shall be

1 assessed a late penalty in an amount equal to two (2) times the renewal fee,
2 ~~as set forth in~~ under subsection (a) of this section.

3 ~~(3) An initial application postmarked after April 1 shall be~~
4 ~~assessed a late penalty in an amount equal to two (2) times the license fee,~~
5 ~~as set forth in this section.~~

6
7 SECTION 2. Arkansas Code Title 20, Chapter 22, Subchapter 7, is
8 amended to add additional sections as follows:

9 20-22-716. License limitations.

10 (a) An importer license does not authorize a person to sell fireworks
11 at wholesale or retail.

12 (b) A jobber that does not possess an importer license shall not
13 purchase fireworks other than from a vendor that holds a license as an
14 importer and as a distributor.

15
16 20-22-717 Sale of sky lanterns.

17 (a) As used in this section, "sky lantern" means an unmanned free-
18 floating device designed to contain an open flame.

19 (b) The sale of sky lanterns is prohibited.

20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36