



Senate

General Assembly

February Session, 2000

File No. 137

Senate Bill No. 557

Senate, March 21, 2000

The Committee on Public Safety reported through SEN. PENN of the 23rd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

An Act Concerning Sparklers.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 29-356 of the general statutes is repealed and the following
2 is substituted in lieu thereof:

3 "Fireworks" means and includes any combustible or explosive
4 composition, or any substance or combination of substances or article
5 prepared for the purpose of producing a visible or an audible effect by
6 combustion, explosion, deflagration or detonation, and includes blank
7 cartridges, toy pistols, toy cannons, toy canes or toy guns in which
8 explosives are used, the type of balloons which require fire underneath
9 to propel the same, firecrackers, torpedoes, skyrockets, Roman candles,
10 Daygo bombs, sparklers or other fireworks of like construction and
11 any fireworks containing any explosive or flammable compound, or
12 any tablets or other device containing any explosive substance, [,
13 except that the] The term "fireworks" shall not include (1) toy pistols,
14 toy canes, toy guns or other devices in which paper caps manufactured

15 in accordance with the regulations of the United States Interstate
16 Commerce Commission or its successor agency [regulations] for
17 packing and shipping of toy paper caps are used and toy pistol paper
18 caps manufactured as provided therein, (2) toy pistols, toy guns in
19 which paper caps containing twenty-five-hundredths grains or less of
20 explosive compound are used or toy pistol caps which contain less
21 than twenty-hundredths grains of explosive mixture, (3) wire or wood
22 sparklers of not more than one hundred grams of pyrotechnic mixture
23 per item, (4) other devices which are nonexplosive and nonaerial and
24 which may produce a crackling or whistling effect and contain
25 seventy-five grams or less of chemical compound per tube or a total of
26 two hundred grams or less for multiple tubes, or (5) snakes and glow
27 worms, smoke devices or trick noisemakers, each consisting of twenty-
28 five-hundredths grains or less of explosive mixture, provided such
29 devices are nonexplosive and nonaerial.

PS **Committee Vote:** Yea 22 Nay 0 JF

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Affected Agencies: Department of Public Safety

Municipal Impact: None

Explanation**State and Municipal Impact:**

The passage of this bill would result in no fiscal impact to state and local law enforcement agencies, and in no state revenue impact. The bill appears to legalize the possession and sale of several types of fireworks and sparklers. However, it seems that most of the listed items can already be purchased at retail in Connecticut and are generating sales tax revenues. In addition, few, if any arrests are made for possession of these types of fireworks. Therefore no fiscal impact is anticipated.

OLR Bill Analysis

SB 557

AN ACT CONCERNING SPARKLERS.**SUMMARY:**

With exceptions, current law bans the use, sale, or possession of fireworks with intent to sell at retail, but it exempts people conducting supervised fireworks displays with permits and competency certificates. This bill broadens the exemptions. But the effect is unclear with respect to toy pistols.

By law, a violation carries a fine of up to \$100, imprisonment for up to 90 days, or both.

EFFECTIVE DATE: October 1, 2000

EXEMPTIONS**Toy Pistols**

Under current law, toy pistols that use explosives are defined as fireworks. The law exempts toy pistols, toy guns, and other devices that use paper caps made in accordance with federal regulations for shipping toy paper caps, and toy pistol paper caps made in accordance with the regulations. This bill exempts all toy pistols. But it retains the language that (1) exempts toy pistols based on the caps they use and (2) classifies them as fireworks if they use explosives. Thus, the bill's effect is unclear.

Other Exemptions

The bill also exempts: (1) toy guns that use paper caps with up to 25/100ths grains of explosive compound and toy pistol caps with less than 25/100ths grains of explosive mixture; (2) wire or wood sparklers with up to 100 grams of pyrotechnic mixture per item; (3) other nonexplosive and nonaerial devices that may produce a crackling or

whistling effect and contain up to 75 grams of chemical compound per tube or up to 200 grams for more than one tube; or (4) snakes and glow worms, smoke devices, or trick noisemakers, each consisting of 25/100ths grains of explosive mixture, provided they are nonexplosive and nonaerial.

COMMITTEE ACTION

Public Safety Committee

Joint Favorable Report

Yea 22 Nay 0