



General Assembly

Amendment

February Session, 2012

LCO No. 3711

SB0032403711SR0

Offered by:
SEN. GUGLIELMO, 35th Dist.

To: Subst. Senate Bill No. 324

File No. 131

Cal. No. 129

"AN ACT CONCERNING THE DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 29-356 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2012*):

5 As used in this section and sections [29-356] 29-357 to 29-365,
6 inclusive, as amended by this act:

7 (1) "Fireworks" means and includes any combustible or explosive
8 composition, or any substance or combination of substances or article
9 prepared for the purpose of producing a visible or an audible effect by
10 combustion, explosion, deflagration or detonation, and includes blank
11 cartridges, toy pistols, toy cannons, toy canes or toy guns in which
12 explosives are used, the type of balloons which require fire underneath
13 to propel the same, firecrackers, torpedoes, skyrockets, Roman candles,
14 Daygo bombs, and any fireworks containing any explosive or

15 flammable compound, or any tablets or other device containing any
16 explosive substance, except that the term "fireworks" shall not include
17 novelties, sparklers and fountains and toy pistols, toy canes, toy guns
18 or other devices in which paper caps manufactured in accordance with
19 the regulations of the United States Interstate Commerce Commission
20 or its successor agency for packing and shipping of toy paper caps are
21 used and toy pistol paper caps manufactured as provided therein.

22 (2) ["Sparklers"] "Sparkler" means a metal wire or [stick] wood
23 cylindrical rod coated with not more than one hundred grams of
24 pyrotechnic composition, [that produces a shower of sparks upon
25 ignition.]

26 (3) "Fountain" means any [cardboard or heavy paper cone or
27 cylindrical tube containing pyrotechnic mixture that upon ignition
28 produces a shower of colored sparks or smoke. "Fountain" includes,
29 but is not limited to, (A) a spike fountain, which provides a spike for
30 insertion into the ground, (B) a base fountain which has a wooden or
31 plastic base for placing on the ground, or (C) a handle fountain which
32 is a handheld device with a wooden or cardboard handle] ground-
33 based or hand-held device that produces a visible or audible effect of
34 (A) a shower of sparks or flame, (B) crackling or whistling, (C) other
35 noise effects or smoke effects, or (D) any combination of such effects.
36 "Fountain" includes any device listed in section 3.1.1, sections 3.1.1.1 to
37 3.1.1.8, inclusive, and section 3.5 of the American Pyrotechnic
38 Association's Standard 87-1.

39 (4) "Novelties" means those devices listed in section 3.2 of the
40 American Pyrotechnic Association's Standard 87-1 that do not require
41 approval and are not regulated as explosives. "Novelties" include party
42 poppers, snappers, snaps and pops, toy smoke devices of not more
43 than five grams of pyrotechnic composition, snakes, glow worms, wire
44 sparklers and dipped sticks.

45 Sec. 502. Subsection (a) of section 29-357 of the general statutes is
46 repealed and the following is substituted in lieu thereof (*Effective*

47 October 1, 2012):

48 (a) Except as provided in subsection (b) of this section, no person,
49 firm or corporation shall offer for sale, expose for sale, sell at retail or
50 use or explode or possess with intent to sell, use or explode any
51 fireworks. A person who is sixteen years of age or older may store,
52 transport, offer for sale, expose for sale, sell at retail, purchase, use or
53 possess with intent to sell or use novelties, sparklers [or] and
54 fountains, [of not more than one hundred grams of pyrotechnic
55 mixture per item, which are nonexplosive and nonaerial, provided (1)
56 such sparklers and fountains do not contain magnesium, except for
57 magnalium or magnesium-aluminum alloy, (2) such sparklers and
58 fountains containing any chlorate or perchlorate salts do not exceed
59 five grams of composition per item, and (3) when more than one
60 fountain is mounted on a common base, the total pyrotechnic
61 composition does not exceed two hundred grams] provided such
62 person exclusively follows the National Fire Protection Association
63 Code 1124 for the manufacture, transportation, storage and retail sale
64 of fireworks and pyrotechnic articles.

65 Sec. 503. Subsection (a) of section 29-357 of the general statutes, as
66 amended by section 17 of public act 09-177 and section 6 of public act
67 10-54, is repealed and the following is substituted in lieu thereof
68 (*Effective January 1, 2013*):

69 (a) Except as provided in subsection (b) of this section, no person,
70 firm or corporation shall offer for sale, expose for sale, sell at retail or
71 use or explode or possess with intent to sell, use or explode any
72 fireworks. A person who is sixteen years of age or older may store,
73 transport, offer for sale, expose for sale, sell at retail, purchase, use or
74 possess with intent to sell or use novelties, sparklers [or] and
75 fountains, [of not more than one hundred grams of pyrotechnic
76 mixture per item, which are nonexplosive and nonaerial, provided (1)
77 such sparklers and fountains do not contain magnesium, except for
78 magnalium or magnesium-aluminum alloy, (2) such sparklers and
79 fountains containing any chlorate or perchlorate salts do not exceed

80 five grams of composition per item, and (3) when more than one
81 fountain is mounted on a common base, the total pyrotechnic
82 composition does not exceed two hundred grams] provided such
83 person exclusively follows the National Fire Protection Association
84 Code 1124 for the manufacture, transportation, storage and retail sale
85 of fireworks and pyrotechnic articles."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	October 1, 2012	29-356
Sec. 502	October 1, 2012	29-357(a)
Sec. 503	January 1, 2013	29-357(a)