



General Assembly

February Session, 2022

Raised Bill No. 159

LCO No. 1422



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

AN ACT CONCERNING FIREWORK PERMITS AND CERTIFICATES OF COMPETENCY.

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

1 Section 1. Section 29-357 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2022*):

3 (a) Except as provided in subsection (b) of this section, no person,
4 firm or corporation shall offer for sale, expose for sale, sell at retail or
5 use or explode or possess with intent to sell, use or explode any
6 fireworks. A person who is sixteen years of age or older may offer for
7 sale, expose for sale, sell at retail, purchase, use or possess with intent to
8 sell or use sparklers or fountains of not more than one hundred grams
9 of pyrotechnic mixture per item, which are nonexplosive and nonaerial,
10 provided (1) such sparklers and fountains do not contain magnesium,
11 except for magnalium or magnesium-aluminum alloy, (2) such
12 sparklers and fountains containing any chlorate or perchlorate salts do
13 not exceed five grams of composition per item, and (3) when more than
14 one fountain is mounted on a common base, the total pyrotechnic
15 composition does not exceed two hundred grams.

16 (b) (1) The Commissioner of Emergency Services and Public
17 Protection shall adopt reasonable regulations, in accordance with
18 chapter 54, for the granting of permits for supervised displays of
19 fireworks or for the indoor use of pyrotechnics, sparklers and fountains
20 for special effects by municipalities, fair associations, amusement parks,
21 other organizations or groups of individuals or artisans in pursuit of
22 their trade. Such permit may be issued upon application to said
23 commissioner and after ~~[(1)]~~ (A) inspection of the site of such display or
24 use by the local fire marshal to determine compliance with the
25 requirements of such regulations, and ~~[(2)]~~ (B) approval of the chiefs of
26 the police and fire departments, or, if there is no police or fire
27 department, of the first selectman, of the municipality wherein the
28 display is to be held as is provided in this section. No such display shall
29 be handled or fired by any person until such person has been granted a
30 certificate of competency by the Commissioner of Emergency Services
31 and Public Protection, in respect to which a fee of two hundred dollars
32 shall be payable to the State Treasurer when issued and which may be
33 renewed every three years upon payment of a fee of one hundred ninety
34 dollars payable to the State Treasurer, provided such certificate may be
35 suspended or revoked by said commissioner at any time for cause. Such
36 certificate of competency shall attest to the fact that such operator is
37 competent to fire a display. Such display shall be of such a character and
38 so located, discharged or fired as in the opinion of the chiefs of the police
39 and fire departments or such selectman, after proper inspection, will not
40 be hazardous to property or endanger any person or persons. In an
41 aerial bomb, no salute, report or maroon may be used that is composed
42 of a formula of chlorate of potash, sulphur, black needle antimony and
43 dark aluminum. Formulas that may be used in a salute, report or
44 maroon are as follows: ~~[(A)]~~ (i) Perchlorate of potash, black needle
45 antimony and dark aluminum, and ~~[(B)]~~ (ii) perchlorate of potash, dark
46 aluminum and sulphur. No high explosive such as dynamite, fulminate
47 of mercury or other stimulator for detonating shall be used in any aerial
48 bomb or other pyrotechnics. Application for permits shall be made in
49 writing at least fifteen days prior to the date of display, on such notice
50 as the Commissioner of Emergency Services and Public Protection by

51 regulation prescribes, on forms furnished by the commissioner, and a
52 fee of one hundred dollars shall be payable to the State Treasurer with
53 each such application. After such permit has been granted, sales,
54 possession, use and distribution of fireworks for such display shall be
55 lawful for that purpose only. No permit granted hereunder shall be
56 transferable. Any permit issued under the provisions of this section may
57 be suspended or revoked by the Commissioner of Emergency Services
58 and Public Protection or the local fire marshal for violation by the
59 permittee of any provision of the general statutes, any regulation or any
60 ordinance relating to fireworks.

61 (2) The Commissioner of Emergency Services and Public Protection
62 shall require an applicant for a certificate of competency pursuant to
63 subdivision (1) of this subsection to submit to a state and national
64 criminal history records check conducted in accordance with section 29-
65 17a.

66 (3) The Commissioner of Emergency Services and Public Protection
67 or a local fire marshal may suspend or revoke a permit issued pursuant
68 to subdivision (1) of this subsection for a violation of any provision of
69 sections 29-356 to 29-365, inclusive, any regulation adopted pursuant to
70 this subsection or section 29-357a or 29-359 or any ordinance relating to
71 fireworks.

72 (c) The Commissioner of Emergency Services and Public Protection
73 may grant variations or exemptions from, or approve equivalent or
74 alternate compliance with, particular provisions of any regulation
75 issued under the provisions of subsection (b) of this section where strict
76 compliance with such provisions would entail practical difficulty or
77 unnecessary hardship or is otherwise adjudged unwarranted, provided
78 any such variation, exemption, approved equivalent or alternate
79 compliance shall, in the opinion of the commissioner, secure the public
80 safety and shall be made in writing.

81 (d) Any person, firm or corporation violating the provisions of this
82 section shall be guilty of a class C misdemeanor, except that (1) any

83 person, firm or corporation violating the provisions of subsection (a) of
84 this section by offering for sale, exposing for sale or selling at retail or
85 possessing with intent to sell any fireworks with a value exceeding ten
86 thousand dollars shall be guilty of a class A misdemeanor, and (2) any
87 person, firm or corporation violating any provision of subsection (b) of
88 this section or any regulation adopted thereunder shall be guilty of a
89 class A misdemeanor, except if death or injury results from any such
90 violation, such person, firm or corporation shall be guilty of a class C
91 felony.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2022	29-357

Statement of Purpose:

To require applicants for a certificate of competency to undergo a state and national criminal history records check and allow the Commissioner of Emergency Services and Public Protection or a local fire marshal to suspend a fireworks permit for violation of a statute, regulation or ordinance relating to fireworks.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]