



General Assembly

**Amendment**

January Session, 2023

LCO No. **8544**



Offered by:  
REP. VAIL, 52<sup>nd</sup> Dist.

To: Subst. House Bill No. **6580**

File No. 354

Cal. No. 241

**"AN ACT REVISING CERTAIN CERTIFICATION REQUIREMENTS  
RELATED TO SMOKE AND CARBON MONOXIDE DETECTORS IN  
RESIDENTIAL BUILDINGS."**

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 Section 29-356 of the general statutes is repealed and the  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, 2023*):

5 As used in sections 29-356 to 29-365, inclusive, and section 503 of this  
6 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 consumer fireworks, sparklers and fountains and toy pistols, toy canes,  
18 toy guns or other devices in which paper caps manufactured in  
19 accordance with the regulations of the United States Interstate  
20 Commerce Commission or its successor agency for packing and  
21 shipping of toy paper caps are used and toy pistol paper caps  
22 manufactured as provided therein.

23 (2) "Sparklers" means a wire or stick coated with pyrotechnic  
24 composition that produces a shower of sparks upon ignition.

25 (3) "Fountain" means any cardboard or heavy paper cone or  
26 cylindrical tube containing pyrotechnic mixture that upon ignition  
27 produces a shower of colored sparks or smoke. "Fountain" includes, but  
28 is not limited to, (A) a spike fountain, which provides a spike for  
29 insertion into the ground, (B) a base fountain which has a wooden or  
30 plastic base for placing on the ground, or (C) a handle fountain which is  
31 a handheld device with a wooden or cardboard handle.

32 (4) "Consumer fireworks" has the same meaning as in 27 CFR 555.11,  
33 as amended from time to time, except "consumer fireworks" does not  
34 include (A) any device with more than five hundred grams of  
35 pyrotechnic compound; (B) consumer reloadable mortar-type  
36 fireworks, bottle rockets, Texas pop rockets and similar stick rockets,  
37 sky lanterns, lady fingers, ground salutes, celebration crackers and any  
38 other similar devices; or (C) sparklers or fountains.

39 Sec. 502. Section 29-357 of the general statutes is repealed and the  
40 following is substituted in lieu thereof (*Effective October 1, 2023*):

41 (a) Except as provided in subsection (b) of this section or section 503  
42 of this act, no person, firm or corporation shall offer for sale, expose for  
43 sale, sell at retail or use or explode or possess with intent to sell, use or  
44 explode any fireworks. A person who is sixteen years of age or older  
45 may offer for sale, expose for sale, sell at retail, purchase, use or possess

46 with intent to sell or use sparklers or fountains of not more than one  
47 hundred grams of pyrotechnic mixture per item, which are  
48 nonexplosive and nonaerial, provided (1) such sparklers and fountains  
49 do not contain magnesium, except for magnalium or magnesium-  
50 aluminum alloy, [(2) such sparklers and fountains containing any  
51 chlorate or perchlorate salts do not exceed five grams of composition  
52 per item, and (3)] and (2) when more than one fountain is mounted on  
53 a common base, the total pyrotechnic composition does not exceed two  
54 hundred grams.

55 (b) The Commissioner of Emergency Services and Public Protection  
56 shall adopt reasonable regulations, in accordance with chapter 54, for  
57 the granting of permits for supervised displays of fireworks or for the  
58 indoor use of pyrotechnics, consumer fireworks, sparklers and  
59 fountains for special effects by municipalities, fair associations,  
60 amusement parks, other organizations or groups of individuals or  
61 artisans in pursuit of their trade. Such permit may be issued upon  
62 application to said commissioner and after (1) inspection of the site of  
63 such display or use by the local fire marshal to determine compliance  
64 with the requirements of such regulations, and (2) approval of the chiefs  
65 of the police and fire departments, or, if there is no police or fire  
66 department, of the first selectman, of the municipality wherein the  
67 display is to be held as is provided in this section. No such display shall  
68 be handled or fired by any person until such person has been granted a  
69 certificate of competency by the Commissioner of Emergency Services  
70 and Public Protection, in respect to which a fee of two hundred dollars  
71 shall be payable to the State Treasurer when issued and which may be  
72 renewed every three years upon payment of a fee of one hundred ninety  
73 dollars payable to the State Treasurer, provided such certificate may be  
74 suspended or revoked by said commissioner at any time for cause. Such  
75 certificate of competency shall attest to the fact that such operator is  
76 competent to fire a display. Such display shall be of such a character and  
77 so located, discharged or fired as in the opinion of the chiefs of the police  
78 and fire departments or such selectman, after proper inspection, will not  
79 be hazardous to property or endanger any person or persons. In an

80 aerial bomb, no salute, report or maroon may be used that is composed  
81 of a formula of chlorate of potash, sulphur, black needle antimony and  
82 dark aluminum. Formulas that may be used in a salute, report or  
83 maroon are as follows: (A) Perchlorate of potash, black needle antimony  
84 and dark aluminum, and (B) perchlorate of potash, dark aluminum and  
85 sulphur. No high explosive such as dynamite, fulminate of mercury or  
86 other stimulator for detonating shall be used in any aerial bomb or other  
87 pyrotechnics. Application for permits shall be made in writing at least  
88 fifteen days prior to the date of display, on such notice as the  
89 Commissioner of Emergency Services and Public Protection by  
90 regulation prescribes, on forms furnished by the commissioner, and a  
91 fee of one hundred dollars shall be payable to the State Treasurer with  
92 each such application. After such permit has been granted, sales,  
93 possession, use and distribution of fireworks for such display shall be  
94 lawful for that purpose only. No permit granted hereunder shall be  
95 transferable. Any permit issued under the provisions of this section may  
96 be suspended or revoked by the Commissioner of Emergency Services  
97 and Public Protection or the local fire marshal for violation by the  
98 permittee of any provision of the general statutes, any regulation or any  
99 ordinance relating to fireworks.

100 (c) The Commissioner of Emergency Services and Public Protection  
101 may grant variations or exemptions from, or approve equivalent or  
102 alternate compliance with, particular provisions of any regulation  
103 issued under the provisions of subsection (b) of this section where strict  
104 compliance with such provisions would entail practical difficulty or  
105 unnecessary hardship or is otherwise adjudged unwarranted, provided  
106 any such variation, exemption, approved equivalent or alternate  
107 compliance shall, in the opinion of the commissioner, secure the public  
108 safety and shall be made in writing.

109 (d) Any person, firm or corporation violating the provisions of this  
110 section shall be guilty of a class C misdemeanor, except that (1) any  
111 person, firm or corporation violating the provisions of subsection (a) of  
112 this section by offering for sale, exposing for sale or selling at retail or  
113 possessing with intent to sell any fireworks with a value exceeding ten

114 thousand dollars shall be guilty of a class A misdemeanor, and (2) any  
115 person, firm or corporation violating any provision of subsection (b) of  
116 this section or any regulation adopted thereunder shall be guilty of a  
117 class A misdemeanor, except if death or injury results from any such  
118 violation, such person, firm or corporation shall be guilty of a class C  
119 felony.

120       Sec. 503. (NEW) (*Effective October 1, 2023*) (a) (1) The Department of  
121 Emergency Services and Public Protection may issue an annual or a  
122 temporary license to sell consumer fireworks to an applicant who: (A)  
123 Is twenty-one years of age or older, (B) holds a valid federal fireworks  
124 license issued pursuant to 18 USC Section 843, as amended from time to  
125 time, (C) has not been convicted of a felony, (D) has not been convicted  
126 of an offense or violation of a state, federal or municipal law or  
127 regulation involving the misuse of fireworks or explosives, and (E)  
128 maintains public liability and product liability insurance with a  
129 minimum coverage amount of two million dollars, to cover losses,  
130 damages or injuries that might ensue to persons or property as a result  
131 of selling consumer fireworks. A separate license shall be obtained for  
132 each location at which an applicant intends to sell consumer fireworks.  
133 An annual license shall expire on January first of each year. A temporary  
134 license shall be valid for a selling period either from June twenty-fifth to  
135 July fifth or from December twenty-sixth to January second.

136       (2) The fee for an initial annual license shall be five thousand dollars  
137 and the fee for each license renewal shall be two thousand five hundred  
138 dollars. The fee for a temporary license shall be two hundred fifty  
139 dollars per selling period.

140       (b) (1) An applicant granted an annual license to sell consumer  
141 fireworks pursuant to subsection (a) of this section shall store and sell  
142 such fireworks only in a permanent, standalone facility that (A) operates  
143 in accordance with NFPA Section 1124, 2006 edition, (B) complies with  
144 the provisions of the building code applicable to high-hazard buildings  
145 classified as group H-3, (C) is equipped with burglar and smoke  
146 detector alarm systems that are monitored twenty-four hours per day,

147 and (D) sells only consumer fireworks and fireworks-related items, such  
148 as fuses, safety equipment, electronic firing panels, fireworks-related  
149 clothing and fireworks association or recreational club memberships.

150 (2) An applicant granted a temporary license may sell consumer  
151 fireworks that are ground and hand-held sparkling devices, snappers,  
152 party poppers, smoke items and ground-based fountains from tents,  
153 temporary structures or retail stores that operate in accordance with  
154 NFPA Section 1124, 2006 edition.

155 (3) Prior to commencing the sale of consumer fireworks at any facility  
156 licensed pursuant to subsection (a) of this section and annually  
157 thereafter, the chiefs of the police and fire departments, or, if there is no  
158 police or fire department, the first selectman, of the municipality in  
159 which such facility is located, or their designees, shall inspect and  
160 approve the use of the facility for such sales. The chiefs, the first  
161 selectman, or their designees, shall provide a written copy of each  
162 approval granted pursuant to this subdivision to the town clerk or the  
163 official charged with the enforcement of zoning regulations for such  
164 municipality, and such clerk or official shall retain such copy for at least  
165 one year after issuance.

166 (4) The State Fire Marshal, any local fire marshal, any police officer,  
167 as defined in section 7-294a of the general statutes, acting within the  
168 jurisdiction of such official, may enforce the provisions of this section  
169 and may inspect any facility where consumer fireworks are to be sold,  
170 stored or offered for sale. Any inspection of a facility licensed pursuant  
171 to subsection (a) of this section shall be conducted in a manner and at a  
172 time that does not interfere with the regular commerce of such facility.

173 (c) No person may offer for sale, expose for sale, sell at retail or  
174 possess with intent to sell consumer fireworks at a facility licensed  
175 pursuant to this section unless such person is at least eighteen years of  
176 age and under the direct supervision of a person who is on the premises  
177 and at least twenty-one years of age. No person may sell consumer  
178 fireworks to another person unless such other person is twenty-one

179 years of age or older.

180 (d) Not later than December 1, 2023, the Department of Emergency  
181 Services and Public Protection shall develop and make available to  
182 licensees a summary of fireworks safety recommendations. Licensees  
183 shall post such summary in a conspicuous place near the final point of  
184 sale in each location in which the licensee is authorized to sell consumer  
185 fireworks pursuant to this section.

186 (e) Any license issued under subsection (a) of this section may be  
187 suspended or revoked by the department, after notice and opportunity  
188 for a hearing in accordance with the provisions of chapter 54 of the  
189 general statutes, for any violation of the provisions of this section or if  
190 the licensee no longer meets the criteria for licensure.

191 Sec. 504. (NEW) (*Effective October 1, 2023*) (a) No person who is under  
192 twenty-one years of age may purchase, possess or use consumer  
193 fireworks.

194 (b) A person twenty-one years of age or older may only ignite or  
195 discharge a consumer firework (1) between six o'clock p.m. and eleven  
196 o'clock p.m. on any day, or between eleven o'clock p.m. and midnight  
197 on the thirty-first day of December and for the first hour of New Year's  
198 Day, in addition to said hours, and (2) with the express permission of  
199 the owner of the property on which the consumer firework will be  
200 ignited or discharged.

201 (c) No person may ignite or discharge a consumer firework while  
202 under the influence of alcohol, drugs or both.

203 (d) Any person violating any provision of this section shall be guilty  
204 of a class C misdemeanor.

205 Sec. 505. (NEW) (*Effective October 1, 2023*) Notwithstanding the  
206 provisions of section 29-357 of the general statutes, as amended by this  
207 act, or section 503 or 504 of this act, a municipality may, by ordinance of  
208 its legislative body, impose additional regulations or restrictions on the

209 sale or use of consumer fireworks within such municipality.

210 Sec. 506. (NEW) (*Effective October 1, 2023*) (a) As used in this section:

211 (1) "Consumer fireworks" has the same meaning as in section 29-356  
212 of the general statutes, as amended by this act;

213 (2) "Consumer fireworks retailer" means the holder of a license to sell  
214 consumer fireworks issued pursuant to section 503 of this act; and

215 (3) "First sale of consumer fireworks" means the initial sale of  
216 consumer fireworks in this state.

217 (b) On and after October 1, 2023, each person or entity that sells  
218 consumer fireworks to a consumer fireworks retailer shall pay a tax to  
219 the state on the first sale of consumer fireworks, at the rate of five per  
220 cent of the average wholesale price, as determined by the Department  
221 of Revenue Services. The Commissioner of Revenue Services shall  
222 prescribe the form and manner of the remittance of such tax and any  
223 return filing the commissioner deems necessary.

224 (c) Any tax due and unpaid under this section shall be subject to the  
225 penalties and interest established in section 12-547 of the general  
226 statutes and the amount of such tax, penalty or interest, due and unpaid,  
227 may be collected under the provisions of section 12-35 of the general  
228 statutes.

229 (d) The provisions of sections 12-548 and 12-550 to 12-555b, inclusive,  
230 of the general statutes shall apply to the provisions of this section in the  
231 same manner and with the same force and effect as if the language of  
232 said sections had been incorporated in full into this section and had  
233 expressly referred to the tax imposed under this section, except to the  
234 extent that any such provision is inconsistent with a provision of this  
235 section."

This act shall take effect as follows and shall amend the following sections:



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|----------|------------------------|-------------|
| Sec. 501 | <i>October 1, 2023</i> | 29-356      |
| Sec. 502 | <i>October 1, 2023</i> | 29-357      |
| Sec. 503 | <i>October 1, 2023</i> | New section |
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