

2026 Regular Session

HOUSE BILL NO. 956

BY REPRESENTATIVE FONTENOT

1 AN ACT

2 To amend and reenact R.S. 51:650(23), (24), (26), and (28), 651.1(B), 652(B), 655(C)(3)
3 and (8), (E), (G), and (H)(1), 656(A), (C)(1)(f), (E), and (F), and 658(A), to enact
4 R.S. 51:656(F), and to repeal R.S. 51:650(6) and (27) and 655(D), relative to
5 fireworks; to provide for definitions; to classify which items may be sold to the
6 public; to provide for time for selling; to provide for licensing and permitting
7 requirements; to provide for fees; to prohibit shipment or delivery of fireworks; to
8 provide relative to local licensing; to provide for an effective date; and to provide for
9 related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 51:650(23), (24), (26), and (28), 651.1(B), 652(B), 655(C)(3) and
12 (8), (E), (G), and (H)(1), 656(A), (C)(1)(f), (E), and (F), and 658(A) are hereby amended and
13 reenacted and R.S. 51:656(F) is hereby enacted to read as follows:

14 §650. Definitions

15 As used in this Part, the following terms have the meanings ascribed to them
16 in this Section unless the context clearly indicates otherwise:

17 * * *

18 (23) "Proximate display" includes ~~all indoor displays and means a~~
19 ~~pyrotechnic public display involving the ignition of Fireworks 1.3G or Fireworks~~
20 ~~1.4G for public viewing, where the audience is closer to the pyrotechnic devices than~~
21 ~~permitted by NFPA 1123 Code of Fireworks Display. The term does not include the~~

1 use of Fireworks 1.4G by a retail consumer for private or personal viewing: any
2 indoor display or a pyrotechnic public display for public viewing where the audience
3 is closer to the pyrotechnic devices than permitted by NFPA 1123 and governed by
4 NFPA 1126 and NFPA 1124.

5 (24) "Public display" means the ~~display of 1.4S, 1.4G, or 1.3G fireworks,~~
6 ~~including fireworks not listed as permissible in R.S. 51:651, used for any purpose~~
7 ~~relating to the amusement of the general public~~ use of 1.4S, 1.4G, or 1.3G fireworks
8 for the public's amusement, governed by NFPA 1123 and NFPA 1124 requirements,
9 as published by the National Fire Protection Association (NFPA), or any subsequent
10 amended additions thereof. "Public display" does not include a retail consumer's use
11 of 1.4G fireworks for private viewing.

12 * * *

13 (26) "Pyrotechnic operator" means an individual skilled through experience
14 and examination and licensed by the office of state fire marshal to safely assemble,
15 discharge, and supervise public displays of 1.3G or 1.4G fireworks. ~~who, by~~
16 ~~experience and examination, has demonstrated the necessary skill and ability for~~
17 ~~safely assembling, discharging, and supervising public displays of Fireworks 1.3G.~~

18 (28) "Pyrotechnic special effects operator" means an individual ~~who, by~~
19 ~~experience and examination, has demonstrated the necessary skill and ability for~~
20 ~~safely assembling, discharging, and supervising proximate displays of Fireworks~~
21 ~~1.3G, 1.4G, and 1.4S.~~ skilled through experience and examination and licensed by
22 the office of state fire marshal to safely assemble, discharge, and supervise
23 proximate displays of 1.3G or 1.4G fireworks.

24 * * *

25 §651.1. Possession, sale, or use of certain fireworks prohibited; penalties

26 * * *

27 B. ~~It is unlawful for any person in the state of Louisiana to possess, sell, or~~
28 ~~use for any purpose whatsoever any of the following items of commercial fireworks:~~
29 ~~cherry bombs, tubular salutes, two-inch American-made salutes, firecrackers with~~
30 ~~casings the external dimensions of which exceed one and one-half inches in length~~

1 (8) The cost of the pyrotechnic operator, pyrotechnic special effects operator,
 2 and blaster's license is fifty two hundred dollars for a new license and ~~twenty-five~~
 3 one hundred dollars for renewals.

4 ~~E.(1) A person or firm shall not make or perform a public display, proximate~~
 5 ~~display, or Class C public display, as defined in this Part, without first obtaining a~~
 6 ~~permit from the office of state fire marshal.~~

7 (2) (1) A person or firm ~~desiring~~ applying for a permit for a public display
 8 or proximate display may either apply to the office of state fire marshal or to a
 9 certified local authority certified ~~under~~ in accordance with the provisions of R.S.
 10 40:1563, which application shall be received by either the state fire marshal or the
 11 certified local authority at least five days prior to the event. The application shall
 12 contain all of the following information:

13 (a) The date, time, and place of the public display or proximate display
 14 including the length of time of the display.

15 (b) All fire prevention plans and provisions that will be in force and all fire
 16 prevention personnel and equipment available to ensure the safety of the public
 17 attending the display.

18 (c) A copy of the permit issued by the office of state fire marshal to the
 19 distributor who will be supplying or conducting the public display or proximate
 20 display to assure the state fire marshal or his certified local authority that the
 21 fireworks and the actual presentation and conduct of the public display or proximate
 22 display will not endanger the public safety.

23 (d) A current certificate of insurance issued to the office of state fire marshal
 24 showing general liability coverage in the amount of one million dollars.

25 ~~(3) A public entity desiring a permit for a Class C public display may apply~~
 26 ~~to the office of state fire marshal, which application shall be received by the state fire~~
 27 ~~marshal at least five days prior to the event. The application shall contain the~~
 28 ~~following information:~~

29 ~~(a) The date, time, and place of the Class C public display including the~~
 30 ~~length of time of the display.~~

1 (2) Direct-to-consumer shipment, mailing, or delivery of consumer fireworks
2 by any licensee, out-of-state seller, common carrier, broker, third-party, or person
3 is prohibited.

4 (3) The state fire marshal may promulgate rules and regulations in
5 accordance with the Administrative Procedure Act to effectuate and enforce the
6 provisions of this Section.

7 * * *

8 C.(1) The applicant shall pay a permit fee for each type of business
9 conducted and for each location at which the business is conducted, according to the
10 following schedule:

11	(a) Manufacturer	\$ 10,000.00
12	(b) Assembler	\$ 1,000.00
13	(c) Distributor	\$ 2,000.00
14	(d) Importer	\$ 500.00
15	(e) Jobber	\$ 250.00
16	(f) Retailer	\$ 100.00 <u>250.00</u>

17 * * *

18 E. It is unlawful for any person to purchase fireworks from a wholesaler,
19 manufacturer, assembler, distributor, importer, or jobber without first obtaining a
20 valid retail permit issued by the state fire marshal. No action taken pursuant to this
21 Part shall impair the lawful sale of consumer fireworks that were lawfully acquired
22 by a licensed retailer pursuant to this Part.

23 F. It is unlawful for a jobber or retailer who holds a permit issued pursuant
24 to the provisions of this Part to purchase fireworks from a distributor domiciled
25 outside the state of Louisiana unless that distributor can show proof that he holds a
26 valid permit issued as provided in this Part to perform the functions of a distributor
27 and importer. If the distributor does not hold a valid permit, the jobber or retailer is
28 then liable for the permit and shall immediately purchase a permit from the office of
29 state fire marshal.

30 * * *

1 §658. Penalties

2 A.(1) ~~No~~ A manufacturer, assembler, distributor, importer, jobber, or retailer
 3 shall not operate within the state of Louisiana without proper permit.

4 (2) A wholesaler, manufacturer, assembler, distributor, importer, jobber, or
 5 retailer within this state, or any common carrier, broker, third-party, or other person
 6 shall not sell for delivery or cause to be delivered any consumer fireworks within this
 7 state.

8 (3) A person found operating within the state of Louisiana without a proper
 9 permit shall immediately cease the sale of fireworks upon the lawful order of the
 10 state fire marshal, a certified local authority of the fire marshal, or any local law
 11 enforcement official until such time as an application for permit has been made to
 12 the state fire marshal as required in R.S. 51:656 and subsequently granted. The
 13 application for a retail permit shall be notarized and shall attest that each location on
 14 the application is situated in a jurisdiction which allows legal retail fireworks sales,
 15 that no open flame heating devices are located at any listed location, that there are
 16 no facilities for sleeping and sleeping is not allowed in any listed location, and that
 17 no listed location is used for residential purposes or for other than the purpose of
 18 making retail sales of fireworks. Violation by transmission of a false statement or
 19 false representation of any information required by this Paragraph may be prosecuted
 20 pursuant to R.S. 14:125 and shall be the basis for revocation of all permits held by
 21 the applicant.

22 (3) ~~(4)~~ (4) The refusal of any person to cease sales and obtain a permit or the
 23 failure of any person to comply with a lawful order of the state fire marshal, a
 24 certified local authority of the fire marshal, or any local law enforcement official,
 25 may be cause for the seizure of any merchandise and equipment of the person found
 26 in violation at any physical location. Those items seized shall be retained until
 27 otherwise directed by a court of competent jurisdiction. If the state fire marshal, a
 28 certified local authority of the fire marshal, or a local law enforcement official is not
 29 otherwise ordered by a court of competent jurisdiction within ninety days of the date
 30 of seizure to return the items seized, then the state fire marshal, certified local

1 authority, or local law enforcement official may destroy or dispose of the seized
2 items in such a manner which, in their discretion, they deem suitable in order to
3 protect the public safety.

4 * * *

5 Section 2. R.S. 51:650(6) and (27) and 655(D) are hereby repealed in their entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____