

2015 Regular Session

HOUSE BILL NO. 298

BY REPRESENTATIVE BURRELL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AMUSEMENTS/FIREWORKS: Provides for the time period and permits regarding the sale of fireworks

1 AN ACT

2 To amend and reenact R.S. 51:652(B) and 656(C)(1)(f) and to repeal R.S. 51:650(13),
3 relative to the sale of fireworks; to provide for the dates and times during which
4 fireworks may be sold; to provide with respect to permit fees for retailers; to remove
5 the differentiation between resident and nonresident retailers; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 51:652(B) and 656(C)(1)(f) are hereby amended and reenacted to
9 read as follows:

10 §652. Proper naming; certification on shipping cases; time for selling; exceptions;
11 sale and storage in homes prohibited

12 * * *

13 B. Permissible items of fireworks, enumerated in R.S. 51:651 may be sold
14 at retail from noon June ~~twenty-fifth~~ sixteenth through midnight July fifth and noon
15 December fifteenth through midnight January first of each year only, except that the
16 term "fireworks" shall not include toy pistols, toy canes, toy guns, or other devices
17 in which paper caps containing twenty-five hundredths (25/100) grains or less of
18 explosive compounds are used, provided they are so constructed that the hand cannot
19 come in contact with the cap when in place for exploding, and toy paper pistol caps
20 which contain less than twenty-five hundredths (25/100) grains of explosive
21 compounds, and the sale and use of which shall be permitted at all times.

22 * * *

1 §656. Permit to sell fireworks; application; fees; permit numbers

2 * * *

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

6 * * *

7	(f)	Retailer	
8	Resident	\$	100.00
9	Nonresident	\$	800.00

10 * * *

11 Section 2. R.S. 51:650(13) is hereby repealed in its entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 298 Original 2015 Regular Session Burrell

Abstract: Provides with respect to the sale of fireworks.

Present law allows the sale of fireworks from June 25 through July 5 and from Dec. 15 through Jan. 1 of each year.

Proposed law changes the start date for the sale of fireworks from June 25 to June 16 and otherwise retains present law.

Present law requires that in order to sell, construct, or manufacture fireworks, a retailer or manufacturer must first obtain a permit from the state fire marshal.

Present law further provides for a fee schedule applicable to each type of permit issued.

Present law provides for an \$800 fee for nonresident retailers and a \$100 fee for resident retailers. Proposed law removes "nonresident" from the fee schedule, making the fee of \$100 per permit applicable to all retailers.

Proposed law repeals the defined term "resident".

(Amends R.S. 51:652(B) and 656(C)(1)(f); Repeals 51:650(13))